

8/26/99

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Assistant Commissioner for Patents
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PATENT
Attorney Docket No.: 16994-003125

on Aug 26, 1999By: J. L. Schuchman

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

H. Deboer et al.

Application No.: 08/476,798

Filed: June 7, 1995

For: **PRODUCTION OF
RECOMBINANT POLYPEPTIDES
BY BOVINE SPECIES AND
TRANSGENIC METHODS**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Petitioner, Pharming B.V., is the owner of the entire right, title and interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC §§ 154-156 and § 173, as presently shortened by any terminal disclaimer, of Patent Numbers 5,741,957, filed June 5, 1995; 5,633,076, filed November 16, 1993 and Patent Application Number 08/464,167, filed June 5, 1995. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §§ 154-156 and § 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily

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Examiner: Karen Hauda

Art Unit: 1632

TERMINAL DISCLAIMER

PATENT

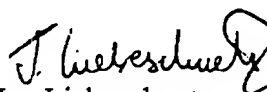
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08/476,798

disclaimed in whole or terminally disclaimed under 37 CFR § 1.321; has all claims cancelled by a re-examination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Pursuant to filing a Terminal Disclaimer, Applicant hereby authorizes payment of the statutory disclaimer fee, pursuant to 37 CFR §1.20(d), of \$55.00 by charging the fee to Deposit Account No. 20-1430. Please charge any additional fees or credit overpayment to the above Deposit Account.

Respectfully submitted,



Joe Liebeschuetz

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